

5-27-05

IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

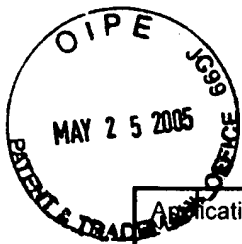
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/810,741-Conf. #9685	
	Filing Date	March 26, 2004	
	First Named Inventor	Donald B. Borders	
	Art Unit	1654	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	5 pages + 6 references	Attorney Docket Number	20343/1202370-US2

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/08 (9 refs cited) 6 references submitted Certificate of Express Mailing Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DARBY & DARBY P.C.		
Signature			
Printed name	Jeffrey C. Pepe		
Date	May 25, 2005	Reg. No.	46,985



Application No. (if known): 10/810,741

Attorney Docket No.: 20343/1202370-US2
1425C1

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV544909218US in an envelope addressed to:

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on May 25, 2005
Date

Signature

Linda M. Povinelli

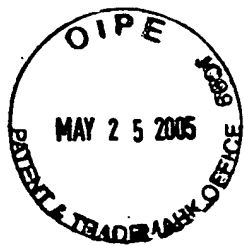
Typed or printed name of person signing Certificate

Registration Number, if applicable

(206) 262-8900
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)
Supplemental Information Disclosure Statement (2 pages)
PTO/SB/08 (9 References cited) (1 page)
6 references submitted
Return Receipt Postcard



Docket No.: 20343/1202370-US2
(425C1)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Donald B. Borders et al.

Application No.: 10/810,741

Confirmation No.: 9685

Filed: March 26, 2004

Art Unit: 1654

For: EXTRACTIVE PURIFICATION OF
LIPOPEPTIDE ANTIBIOTICS

Examiner: Not Yet Assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicants hereby make of record the following additional documents.

Applicants have become aware of the following documents, cited in an International Search Report issued March 4, 2005, during the prosecution of international application no. EP 02705750, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of each document required under 37 CFR 1.98(a)(2) cited is enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such

document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: May 25, 2005

Respectfully submitted,

By 
Jeffrey C. Pepe

Registration No.: 46,985

DARBY & DARBY P.C.

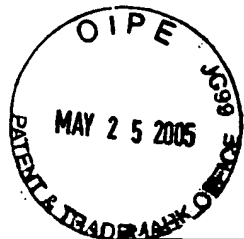
P.O. Box 5257

New York, New York 10150-5257

(206) 262-8900 (Tel)

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/810,741-Conf. #9685
				Filing Date	March 26, 2004
				First Named Inventor	Donald B. Borders
				Art Unit	1654
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	20343/1202370-US2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-3,061,516	10-30-1962	Hooper et al.	
	AB	US-3,798,129	03-19-1974	Laszio <i>nee</i> Tomori et al.	
	AC	US-4,533,631	08-06-1985	Kawaguchi et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	GB 736 325-A	09-07-1955	Bristol Lab Inc.		
	BB	GB 897 581-A	05-30-1962	American Cyanamid Co.		
	BC	WO 02/05837-A	01-24-2002	Intrabiotics Pharmaceuticals		
	BD	WO 02/05838-A	01-24-2002	Intrabiotics Pharmaceuticals		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	VERTESY et al, "Frlulimicins: Novel lipopopeptide antibiotics with peptidoglycan synthesis inhibiting activity from Actinoplanes fiuliensis sp. nov: II. Isolation and structural characterization," <i>Journal of Antibiotics</i> 53(8): 816-827, August 2000.	
	CB	BORDERS et al., "A new chelate purification process for lipopeptide antibiotics from fermentation broths," <i>Abstracts Of The Interscience Conference On Antimicrobial Agents And Chemotherapy</i> 41:231, September 2001.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--